

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WILMINGTON TRUST, NATIONAL
ASSOCIATION, as Trustee for the benefit of the
Registered Holders of BBCMS Mortgage Trust 2022-
C15 Commercial Mortgage Pass-Through Certificates,
Series 2022-C15, acting by and through its special
servicer, Rialto Capital Advisors, LLC,

Plaintiff,

v.

AEVRI SALINA MEADOWS LLC; HAWTHORNE
PROPERTY SERVICES, LLC; and MOSHE
ROTHMAN,

Defendants.

Case No.: 1:23-cv-08824 (JPC)

Hon. John P. Cronan

DECLARATION OF WILLIAM C. COLUCCI

William C. Colucci, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury:

1. I am over the age of eighteen years old and am competent to testify in a court of law. I am submitting this Declaration concerning certain facts relevant to the Plaintiff's Motion for Summary Judgment. Unless otherwise specifically stated herein, this Declaration is based upon my personal knowledge. Capitalized terms not otherwise defined shall have the meanings given to them in the Plaintiff's Motion.

2. I am a property manager and broker with Cushman & Wakefield/Pyramid Brokerage Company ("Pyramid") and the court-appointed receiver for the real property located at 200, 220, 231 Salina Meadows Parkway and 301 Plainfield, Liverpool, New York.

3. Pursuant to the Court's Order entered on November 22, 2023, following my appointment I worked with on-site property manager to assume custody of the Borrower's books

and records.

4. The letter attached hereto as Exhibit 1 is a true and complete copy of a letter appearing in the files of the Borrower.

5. The Profit and Loss Detail for 2023 also shows the following checks totaling \$700,000 issued to the Borrower:

05/01/2023	Check	Aevri Salina Meadows	CHECK 20201	100,000.00
06/01/2023	Check	Aevri Salina Meadows	CHECK 20235	50,000.00
06/05/2023	Check	Aevri Salina Meadows	CHECK 20237	50,000.00
07/13/2023	Check	Aevri Salina Meadows	CHECK 20252	100,000.00
08/03/2023	Check	Aevri Salina Meadows	CHECK 20269	100,000.00
08/14/2023	Check	Aevri Salina Meadows	CHECK 20285	50,000.00
08/25/2023	Check	Aevri Salina Meadows	CHECK 20287	50,000.00
09/05/2023	Check	Aevri Salina Meadows	CHECK 20288	50,000.00
09/14/2023	Check	Aevri Salina Meadows	CHECK 20302	50,000.00
10/10/2023	Check	Aevri Salina Meadows	CHECK 20304	50,000.00
10/16/2023	Check	Aevri Salina Meadows	CHECK 20306	50,000.00

6. Check numbers 20287, 20304, and 20306 totaling \$150,000 are listed as “Management Fees”. The remaining checks are listed as “Uncategorized Expenses”. A true and complete copy of the Profit and Loss Detail for 2023 as it appears in the records of the Borrower is attached as Exhibit 2.

7. I am not aware of any management services provided by Aevri Salina Meadows.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 10, 2025.



William C. Colucci